

Judge Benjamin H. Settle

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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
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APR 1 2011 DJ

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNDER SEAL,

Plaintiff,
v.

No. C07-0248 BHS

UNDER SEAL,

Defendants.

UNDER SEAL



07-CV-00248-ORD

UNITED STATES ATTORNEY
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Judge Benjamin H. Settle

ORIGINAL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
ex rel. MARSHALL S. HORWITZ, M.D.,

Plaintiff,
v.

AMGEN, INC. and DAVID C. DALE,
Defendants.

No. C07-0248 BHS

UNDER SEAL

ORDER

The United States has filed an *Ex Parte* Motion for an Extension of time to Consider Election to Intervene, in which the government seeks a six (6) month extension of time, from April 18, 2011, up to and including October 18, 2011, in which to notify the Court whether it intends to intervene in this *qui tam* lawsuit. Such an extension of time is expressly contemplated by the False Claims Act, which provides that the United States "may, for good cause shown move the Court for extensions of time. . . ." 13 U.S.C. § 3730(b)(3). The Court finds that such good cause exists here.

Accordingly, it is hereby ORDERED that the United States shall have from April 18, 2011, to October 18, 2011, to notify the Court of its decision whether or not to intervene in this *qui tam* action. The Clerk shall otherwise maintain the Complaint and other filings under seal for the duration of the government's investigation, unless otherwise ordered by the Court.

1 DATED this 20 day of April, 2011.

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4 BENJAMIN M. SETTLE
United States District Judge

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6 Presented by:

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9 HAROLD MALKIN
Assistant United States Attorney